

THE SALT LAKE HERALD
Salt Lake City, - - Utah.

THURSDAY - - - January 31, 1889

LOCAL BRIEFS.

THIS thing is not 'Alf over.
How will Bailey look in the hands of a bailiff?

FUEL SHIPPERS reduced to \$1 at Spencer & Kimball's.

THE SUPREME COURT may refuse to be Millspaugh's catspaw.

MCCORMICK & Co.'s shipments yesterday were: Silver and lead ores, \$18,550.

WELLS, FARGO & Co.'s shipments yesterday were: Ore, \$13,320; base bullion, \$3,500.

COLBATH MAY think there's a "d" in the middle of his name before he gets through with it.

WILLIAM GREENWOOD, of American Fork, has been commissioned a notary public for Utah County.

WILLIAM MARTIN was fined \$2.50 in the Police Court yesterday for running a hack without lights, and \$7.50 for being profane and obscene.

WILLIAM BAILEY, a resident of Bingham, was found dead in his bed yesterday. Coroner Taylor was notified and will probably hold an inquest to-day.

THERE is evidently plenty of surplus labor in Salt Lake: A two line add in yesterday's Herald for young man wanted in a drug store, kept one clerk busy all day answering applications.

A PETITION is being circulated asking the pardon of George Wood, of Woods Cross, who, it will be remembered, was sent to the Pen about three years ago, having been convicted of unlawful cohabitation.

THE GAME of billiards at the Cullen Hotel last night resulted: Cassel 255, Alexander 170. To-night's game is between Josh Arthur and Joe Riley, the former agreeing to make 325 points to the latter's 200.

THE REGULAR monthly meeting of the officers of the Young Ladies' Mutual Improvement Association will be held Saturday, February 21, at 11 a.m. at the residence of Mrs. W. B. Douglass, No. 49 N. West Temple Street. MARY A. FERRER.

IT is a disgrace to the merchants and a plain neglect of duty on the part of the city officers, that the water sees on Main Street should be frozen up and the sidewalks rendered almost impassable because of ice from the overflowing of the streams.

TEMPERATURE YESTERDAY, as reported from the Signal Service office: At 6 a.m.: Salt Lake City, 12; Helena, 8; Fort Ogden, 14; Boise City, 14; Rawlins, 8; At 11 a.m.: Salt Lake City, 18; Ogden, 22; Stockton, 2; Bingham, 20; Park City, 25; Provo, 8; Alta, 18.

THERE was a short session of the Third District Court yesterday, when the report of the referee in the case of Georgiana Brown, plaintiff, vs. Joseph M. Hawn, defendant, was submitted and taken under advisement. Court then adjourned until Saturday morning.

THERE was a social gathering at the residence of John T. Cook Tuesday evening, in honor of his 77th birthday. There was quite a large gathering, consisting of one son, one daughter, fifteen grandchildren, three great-grandchildren, with various friends. All sat down to a large dinner, and music, dancing and singing were also enjoyed.

A RESIDENT of Centre Street complains that boys are in the habit of flooding that and adjacent thoroughfares for the purpose of making toboggan slides. The result is that the road is almost impassable for teams and the average pedestrian, who now of all times seeks the middle of the road, takes his life in his hands when he walks in that direction.

THE AQUATIC editor of our down-town contemporary was being laughed at again yesterday, because he had the nerve to assert that the Hot Springs Lake would be a good place for the boat clubs to practice with a six-oared barge during the spring and fall months. A member of the boat club desires us to inform the scribe that six-oared barges are not run on wheels.

Mrs. A. E. Snow and Miss Lillian Loveland were married yesterday. They will be "at home" after March 15th. The unpretentious card which announces the happy event, came to hand yesterday, and affords an opportunity of unpretentiously congratulating the happy pair and wishing for them only enough of the trials of existence to leave the life of joy which we trust, awaits them.

"TRAVELING INDUSTRIALIST" writes us from Provo as follows: "Last night a few enterprising citizens met at the court house to talk over the idea of the city selling 100 feet of the west side of the court house block for business purposes. It was the unanimous opinion that it was better so and with some rather denigratory remarks towards some of our city officials, dead-and-alive-iveness, appointed a committee of three, consisting of Reed Smoot, W. N. Dusenberry and George Sutherland to confer with the City Council relative to the disposal of the said property."

Delicious Warm Beverages.
The delectable served to the thirsty and cold at the Occidental are delicious, pure and superior. First-class wines, liquors, beers, ales and cigars. Family supplies a specialty.
ATZ & MURPHY, Proprietors.

J. W. FARRELL & Co., plumbers and gasfitters, opposite Teasdale's store, 137 South Main Street, Telephone 209. Send your orders.

People's Equitable Co-op, 68 and 70 First South Street.
Home-made Linney, 25 cents per yard. Hose, 25 cents. Three pound cans Tomatoes, and Corn, 15 cents.

The "Petite"
Photograph, \$1.50 per dozen, at Fox & Symons.

Better and cheaper. Elite Restaurant, opp. Walker House. Day and night.

All the Rage.
Very much used by the young people. The "Petite" Photograph, \$1.50 per dozen at Fox & Symons.

21 bars Kirk's Post Boy Soap, \$1.00
16 bars Kirk's Savon Imperial Soap, 1.00
At
JOHN McDONALD & SONS.

IN RAILWAY CIRCLES.

The Inquest on the Bodies of
Young and Walker.

THE CAUSE OF THE TRAGEDY.

A Street Railway for Provo—The Demurrage Scheme—An Important Man—General and Personal.

Coroner Taylor summoned a jury early yesterday morning, in order that he might inquire into the facts attending the death of Joseph A. Young and George Walker, who met such a tragic fate in Red Butte Canyon. The jury consisted of Messrs. P. W. Madsen, Henry Puzey and Joseph D. Lyon, who, after viewing the mangled remains at the undertaking rooms of J. W. Taylor, went to the office of the railway company, where several witnesses were examined.

William B. Watson, the conductor of the ill-fated train, was the first witness examined. Both he and the other members of the crew present were much affected at the terrible tragedy, and it was with considerable difficulty that they checked their emotion. Watson said that when the two young men, Young and Walker, boarded the train, he endeavored to dissuade them from going to the quarries, by saying he did not expect to return until after dark. "I didn't like to tell them they could not go, however, and so they went with us. When we reached the quarries, we hitched on the eight cars loaded with rock and two empty ones. The cars were loaded when we arrived there, and they were in good running condition. The brakes were all set when we got there, but for the greater safety, they were reset; we had hauled loads equally as large many times before and always came down in perfect safety; I asked the engineer to give us said going down; we had just got out of the switch when I signalled the engineer to stop, and each spring at the brakes; the train kept slipping, however, and after we had gone about two blocks I found that it would be impossible to stop the cars; when I halted for them to jump the train was going at about

THIRTY MILES AN HOUR; I yelled for them to jump, but they did not hear me, I suppose; after going about three blocks, I left the train; Heber Chatterton, the fireman, followed me; I was thrown head over heels; I got down on the brake beam on the rear end of the train; besides being badly injured, I was unhurt; Chatterton, I believe, jumped from the engine; Louis Pope, the brakeman, was the next one to leave the train; he was slightly injured near the knee cap; I should say that we all three left the train within a distance of about 100 yards; I do not know whether the four men remaining on the train when I left made any attempt to jump or not; they were under the wreck when I reached them; Charles McCarty, Joseph A. Young, George Walker and J. W. McDonald were the names of those who stayed with the train; the engine was the first to leave the track and the cars all piled over it; the engine and the cars are

A TOTAL WRECK;
when I found George Walker, he was dead; and lying about fifteen yards from the train; it looked to me as though he had jumped from the train and had fallen upon him; his face was buried in the snow, and when I raised him up I saw that he was dead, and that the back of his head was crushed; Joseph A. Young, was lying on his back under the engine when I found him; when I saw him last alive, he was twisting a brake on the third car from the engine; I don't think he attempted to jump; J. W. McDonald, the engineer, told me that he got down on the step of the engine and supposed he was caught by a brake beam and dragged.

THE ENGINE LEFT THE TRACK
at a curve, it going one way and the tender the other; I should judge that Young's age was about 20 or 21 years; George Walker, who was also killed, was a resident of Sugarhouse Ward; neither of them were employed on the road at the time of the accident; I think a plan could be adopted by which it would be safe to continue hauling rock from these quarries; the accident was caused by the slippery, frosty rails, and the heavy grade; no one was to blame; the rock train has been running all along this fall and winter; I have brought down as many as ten loaded cars and a caboose; I didn't want the boys to go up with me, but I did not like to come right out and tell them that they could not go; both, I believe, had been employed on the road before; Young was a nephew of John W. Young, the president of the road; none of the parties on the train had been drinking that I know of; we remained at Wagner's half an hour, but the engineer never left his engine; I do not know of any precaution that could be taken that was not taken under the circumstances; I think that if the rails were sanded about one hundred yards from the switch so as to warm up the tracks, they would hold better;

WE HAD USED SAND
both going up and coming down; one of the sandpiles on the engine was stuffed up; I should judge that when the cars left the track they must have been going at the rate of about fifty or sixty miles an hour.

Louis K. Pope, the brakeman, corroborated the testimony of the conductor to a great degree. "We had never hauled loads as large as the one in question in such cold weather, but we have done so under circumstances very similar; I did not hear Watson call to jump, but I called to the boys myself to board the train; the train, however, made considerable noise, and I do not suppose they heard me; soon after the fireman and I picked ourselves up; I heard the train cross a bridge, and in a few minutes there was a crash, and a cloud of steam arose; we then knew that the train had been ditched; when we reached the wreck we found Young and Walker dead, and

McDonald and McCarty in the wreck; we extricated them with assistance from the post; the only precaution I have any knowledge of that could be taken would be to thoroughly sand the rails; George Walker was not the true name of the young man who was killed; his name was White, but he had been adopted when quite young by Mr. and Mrs. Charles Walker; I had

NO APPREHENSION OF DANGER
when we started, as the engine was a new one, and built purposely for heavy grades. When I jumped I was thrown about ten feet, and then rolled nearly to the track.

Heber Chatterton, the fireman, said he was a resident of Logan, and had been in the employ of the road since May last. He thought the fact that the wheels had become thoroughly frosted during the time the cars stood at the quarries was one of the causes why the accident had happened, and that future accidents might easily be avoided by bringing down smaller loads—say four or five cars; they had brought down eight loads before, but not on such a frosty day—on that occasion the rails were wet and greasy; if there had been twelve cars loaded there I suppose we would have brought them all; the engineer knew very well that one of the sand piles would not work; I believe that if sufficient sand had been given her, the accident might not have occurred; and if the cars were taken up and brought down within a day or so it would also have a good effect; the cars we attempted to bring down have been standing at the quarries for a week or so, I believe, and the wheels and brake-shoes had doubtless become thoroughly chilled; that would make it much harder to hold the cars.

THE VERDICT.
This closed the evidence, and after a few moments' consultation, the jury returned a verdict to the effect that the deceased came to their death through an accident on the Red Butte branch of the Salt Lake and Fort Douglas.

John W. Young, president of the road, who is in New York, wires the officials here to convey his deepest regrets, and heartfelt sympathy to all afflicted, and instructions to do all that is possible to be done under the circumstances.

Mrs. Mary Young, the mother of Joseph A. Young, is now in San Francisco. Until she has been heard from, it is not known when the funeral will take place.

THE DEMURRAGE SCHEME.
The demurrage system recently inaugurated by the various railways centering in this city, seems to be working like a charm. It is obligatory upon each road to collect the demurrage, but it may be refunded

if just cause is shown at a meeting held by the various agents. "It has accomplished one thing," said a railway man yesterday; "it has taught the average shipper that railway cars were not intended for warehouse purposes."

THE PROVO STREET RAILWAY.
Provo is to have a street railway, and in the very near future, too. At a meeting of a few of the business men of Provo, called by the committee recently appointed by the Chamber of Commerce, a good healthy subscription list was commenced and a committee appointed to canvass the city for subscriptions and the establishment of a company to build and operate a passenger street car service; also to transit gravel, building rock, sand, clay, etc., which is found in abundance at the head of Centre Street east of the asylum. Besides this, it is the ultimate intention to run the track west from West Main Street (the present proposed terminus) to the lake for the very wise purpose of carrying passengers to and from the new bathing resort, and in the winter time for skating and ice hauling track.

The proposed route at present is from the depot north to Centre Street; thence west to West Main Street, with another system to run from the depot north to Centre Street, thence east to the asylum.
It is the intention to incorporate for \$25,000, with shares placed at \$50 each, enabling almost any one to become a stockholder and it is hoped, make the interest in it success more widespread. The following is a list of those who have so far taken stock in this laudable enterprise, with the amount of each placed opposite their names:

PERSONAL AND GENERAL.

G. M. CUMMING has been appointed assistant general manager of the Union Pacific, having charge of the divisions in Idaho and Wyoming, with headquarters at Salt Lake. He will take charge February 1.

This Union Pacific on the 3d of February will inaugurate a fast-train service between Denver and Chicago via Omaha. The train will leave Denver at night, and reach Chicago early on the second morning. Another fast train will run via Kansas City, at an average speed of forty miles an hour, through to Chicago.

This Rock Island, which is making extraordinary efforts to capture the western passenger business, has added buffet cars to the trains running east out of Denver, in addition to the regular dining car service. The sleeper leaving Denver at 4.15 a.m. is placed ready for passengers at 9 o'clock the night before.

A scene in Chicago: A—Who was that man you bowed to coming out of the hotel?

B—A person who stands very high in railway circles.

A—Judge Cooley, of the Inter-State Commerce Commission?

B—Bless you, no; a bigger man than Cooley.

A—Who is it, pray?

B—A ticket scalper.

We have been repeatedly asked why we did not open on the G. & S. Railroad for its slow time, miserable old cars, rough road, high rates, and generally incompetent service. It is because we have been expecting an annual pass from the road. We applied for it three months ago, but have heard nothing as yet. We are nearing the limit. If that pass is not here inside of a fortnight, we shall sound our bugle in a manner to

make the officials of the road wish they had never been born.—Arizona Kicker.

THE following pertinent suggestion has been made by a railroad manager: "If you might permit a suggestion I would say that, judging from what I see in the papers, about the only book needed by the railway men south of St. Paul, and particularly in the vicinity of Chicago, is the Bible, with a thorough and comprehensive, not to say enthusiastic compliance with its precepts. The Ten Commandments on raised letters, so that if they could not see these excellent precepts they could feel them, might be set up on the desk of each officer."

DR. RICHARDSON'S STATEMENT.

The Quarantine Physician Takes Exception to an Item.

In Tuesday's Herald there was a note to the effect that diphtheria is much more common in this city than is generally believed and that no quarantine flag had appeared in several cases where the disease has occurred. The item was based partly upon the personal knowledge of the writer, and partly upon reports that had reached this office from various sources.

Dr. Richardson, the city quarantine physician, called at this office yesterday and stated that if there were any cases of diphtheria that had not been properly quarantined, they had not been reported to him. In reference to one of the cases quoted to the doctor, his reply was that he hastened to the house as soon as he heard of the case, but as the victim had just died he did not deem it necessary to place a flag there. Two other cases mentioned had not been reported to the quarantine physician at all, and he did not hear of the existence of the disease until after the afflicted children had died. In still another case the disease was reported as membranous croup (which, by the way, is said by some physicians to be the same thing as diphtheria) and in this instance the physician says he put the flag up himself and did not take it down until two days after the death of the victim.

From this it will be seen that there is an apparent neglect of duty among the practicing physicians of this city in failing to report contagious diseases to the quarantine physician. For the benefit of those doctors and nurses who are not posted, the following extracts from the city ordinance in relation to quarantine are published:

"All physicians or other persons having any knowledge of the existence of any malignant contagious disease, or having reason to believe any such disease exists, are hereby required to report the same forthwith to a quarantine physician; and all physicians, nurses and all other persons who have been or shall be exposed to such contagious disease, are hereby forbidden to mingle with or be in the presence of others subject to the contagion, without having first changed their outer clothing used where such diseases were, and having taken such other precautions against spreading the contagion as may be prescribed by said board, or to otherwise expose any person to such contagion."

"Any person neglecting or refusing to comply with any of the requirements of this ordinance or the requirements of said board of quarantine, made in pursuance thereof, or who shall take down or remove any quarantine flag from any infected premises shall, for each and every such offense, upon conviction thereof, be punished by fine not exceeding ninety-nine dollars, or by imprisonment in the city jail not exceeding ninety days, or by both such fine and imprisonment at the discretion of the court."

Tourists.

Whether on pleasure bent or business, should take every trip a bottle of Syrup of Figs, as it acts most pleasantly and effectually on the kidneys, liver, and bowels, preventing fevers, head aches and other forms of sickness. For sale in 50c. and \$1 bottles by all leading druggists.

BED COMFORTS

cheap at Dinwoody's.

People's Equitable Co-op.

Men's 50c. Blue Overalls, 70 cents.

Telephone 402.

Rogers & Company.

The Leading Grocers.

45 East, First South Street.

Telephone 107.

People's Equitable Co-op.

11 pounds Granulated Sugar, \$1.25

bars best Laundry Soap, for \$1.

THE attention of the ladies is respectfully

asked to F. Auerbach & Bro.'s

large advertisement. Read it and profit

thereby.

Rugs! Rugs! Rugs!!!

Mounted Fur Rugs,

Kurachee Rugs.

Smyrna Rugs and Carpets

at Dinwoody's.

COAL: COAL: COAL!

Rock Springs, Red Canyon, Weber

and Pleasant Valley. Order now from

the Union Pacific Co. O. E. WANTLAND,

Agent. Office, cor. Main and 2nd South.

People's Equitable Co-op.

Men's California U. Shirts, \$1.25.

NOTICE.

The Board of Directors of the Salt Lake Chamber of Commerce will receive sealed proposals for ground upon which to erect a Chamber of Commerce building, reserving the right to reject any or all bids. If a corner, which is referred, dimensions not less than 50 by 125 feet. If an inside lot, not less than 50 feet front, and from 150 to 165 feet deep, with right of alley way on one side. Cash price of ground to be stated, together with amount of money a vacant property owners will donate toward purchase of lot and erection of building. Ground offered to be within two blocks of Main Street, between South Temple and Third South Streets. The building is to be of brick and stone, or of either, not less than three stories high, exclusive of basement. All offers to be addressed to Secretary Chamber of Commerce, sealed, the same to be opened at a meeting of the Board of Directors on or after February 11, 1889.

O. J. HOLLISS, Secretary.

Just received, a new line of colored

and black sultan silks, which we offer

at 75 cents, worth \$1.10. Call and see

them.

F. AUERBACH & BRO.

AS IN OLDEN TIMES.

The Federal Court Room
Filled to Overflowing.

BUT ALL LEAVE UNSATISFIED.

The Absence of Mr. Colbath Causes a Postponement—The Trustees to Come in To-day.

It is many a moon, many a long and weary month, since the Supreme Court room held such a large, fashionable and intelligent audience as that which gathered at 10 o'clock yesterday morning in anticipation of the contempt cases against the school trustees coming up. Inside the bar, the seating capacity was tested to its utmost, and the spectators' benches were held down by a large number of curious people. There was a full bench. After the opening of court, Judge Sandford surprised everybody by calling the case of the McCord & Nave Mercantile Company vs. John Glenn.

Judge Zane then arose and called the attention of the court to the fact that this was the hour set for the trustees to appear and show cause why they should not be punished for contempt. "They have engaged us as their counsel in the case," he said, "and I desire to be allowed to appear in their behalf. All the trustees save Mr. Colbath are in my room preparing a written statement. They would prefer, however, to wait until to-morrow, when Mr. Colbath will probably be present."

JUDGE JUDG—We understand this matter to refer to the person, and they will be required to answer in person, and not by a representative.

JUDGE SANDFORD—You expect Mr. Colbath in by to-morrow?

JUDGE ZANE—Yes.

JUDGE SANDFORD—The clerk will see that Mr. Colbath is served with a copy of the order as soon as possible.

JUDGE ZANE—The trustees who are here are now preparing a statement to present to the court; it will be ready in a few minutes. These trustees will sign the statement. One of them, Captain Bailey, is ill with rheumatism, and came rather late; he came down with considerable difficulty.

The reading of the journal was then proceeded with and during this time Mr. Bauner and John M. Zane entered and took seats facing the three judges.

Mr. Clarke had proceeded with the minutes as far as the point, where they had reference to the school trustees filing a "petition."

JUDGE JUDG—(interrupting). What is that?

CLERK CLARKE—Presented a petition.

JUDGE JUDG—It was not that.

MAKEL read a "paper writing."

JUDGE SANDFORD—That is a good word.

The change was made.

When the reading had been concluded and the four judges had affixed their signatures.

JUDGE ZANE—If the court please, Mr. J. W. Colbath being absent I would like to appear for all of them. They prefer to have the matter postponed until to-morrow. Mr. Colbath will be here then, and they can all act together.

JUDGE JUDG—Have you the answer, then of those that are present.

JUDGE ZANE—Yes.

JUDGE JUDG—Well, we'll file that with the clerk, and we will hear all the cases to-morrow morning. We do not care to hear any arguments at this stage of the case.

The case of the McCord & Nave Mercantile Company was then called. The show for the day being over, there was a general stampede for the street, the court room being cleared in a few moments.

This case was argued during the day and submitted.

THAT STATEMENT.

There was a rush on the part of press representatives to obtain possession of the statement filed, but applications by them for permission to glance their eyes over it were all refused. Judge Judd was appealed to, through the clerk, but he replied that if the "newspaper boys would keep their linen on, they would be satisfied in due time," or in words of similar import.

It is understood, however, that in substance the statement recites their early efforts to protect the fund, and their reasons for declining to proceed. They deny any intention of trifling with the court, and say that they have acted in good faith for the preservation of the fund from excessive claims. In no instance have they used language intended by them to be insolent, contemptuous or scornful, but they proceeded, as they believed, in a proper manner, entertaining feelings of profound respect for the court and its officers. They had expended \$400 or \$500 in gathering evidence in support of the claim they made, and believing that this evidence should be brought to the attention of the court, it was at the disposal of the latter, as was also the list of witnesses who would have been summoned. In all that had been done they had not sought to offend, either directly or by inference, the court. The responsibility of all the documents that have been presented is assumed by their counsel, Messrs. Zane & Zane, who advised them in all things.

PROBATE COURT.

The Grist of Business Before Judge Marshall Yesterday.

In the matter of the estate of William C. Morris; order made appointing time and place to hear petition for letters of administration.

Estate of Albert Gregory; order made appointing James Eardley, Theodore Angell and James W. Eardley appraisers of said estate.

Estate of Stephen Wilkins, deceased; order made of publication of notice to creditors.

Estate of Hannah C. Mumford, deceased; hearing on allowance of administrator's account adjourned to February 12, 1889.

Estate of Eliza Whalen, deceased; petition for letters of administration; proof of posting notices of time and place of hearing made; order made ap-

pointing Emeline Fulton administratrix upon filing a bond in the sum of \$200.

In the matter of the estate of J. M. Williamson, deceased; hearing on petition for settlement of executor's accounts; proof of posting notices; order made allowing executors' accounts as filed with the exception of \$6, voucher No. 55.

Estate of Thomas B. Taylor, deceased; \$700 bond of Alice Taylor as administratrix of said estate filed and approved.

Estate of Eliza Smith, deceased; further hearing on petition for letters of administration; proof of posting notices; order made appointing Elias A. Smith and Jesse M. Smith administrators of said estate, upon filing bonds in the sum of \$10,352 and taking the oath prescribed by law. Bond of E. A. Smith filed and approved.

Estate of John Taylor, deceased; claim of Thomas E. Taylor in the sum of \$116 approved and allowed, and disallowed for the balance of claim.

Estate of Thomas E. Taylor deceased; order made of publication of notices to creditors.

Estate of Joseph G. Romney, deceased; claim of Joseph M. Romney in the sum of \$350 allowed.

Estate of O. S. Hearnson, deceased; decree allowing final account and of distribution made.

Estate of James Cabbie, deceased; bond of Elizabeth Bunker as administratrix of said estate in the sum of \$500 approved.

Estate of John Hayhoe, deceased; bond of Hiram Yeager in the sum of \$5,000 approved.

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